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Jury rules against PD in race promoters' suit

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A Cuyahoga County Common Pleas jury yesterday awarded \$13.5 million in a libel case against The Plain Dealer filed by two former promoters of the Budweiser Cleveland Grand Prix, who claimed they were defamed in stories about their financial dealings that appeared beginning July 1, 1984.

An eight-person jury decided in a unanimous verdict in favor of Charles K. Newcomb and James H. Foster, who promoted the race when it was called the Budweiser Cleveland 500.

Alex Machaskee, PD publisher, said the paper would "vigorously" pursue appropriate legal pro-

ings to overturn the verdict."

Newcomb and Foster sat nearly still as the jury's verdict was read by Judge Joseph F. McManamon, who presided over the eight-week trial. Later, they exchanged hugs with their wives and lawyers.

Newcomb and Foster declined comment.

The jury, which deliberated for a day and a half, found against The PD and Gary Webb, who wrote the articles. Webb now works for a San Jose, Calif., newspaper.

The jury awarded Newcomb and Foster's company, C.K. Newcomb and Associates, \$2.2 million in compensatory damages and \$2 million

in punitive damages. It awarded Newcomb \$1.9 million in compensatory damages and \$3.5 million in punitive damages and Foster \$400,000 in compensatory damages and \$3.5 million in punitive damages. Newcomb and Foster had asked the jury for \$16 million.

The jury foreman said in an in-

terview that the facts in the articles did not support the allegations.

"As a result of these articles, two men's reputations were harmed," said the juror, who asked that his name not be used. "As a result, it is the justice system's duty to see that these men were compensated for the injustice done to them. It was obvious and apparent to the whole jury that these articles did defame the reputations of these men."

The PD argued that the stories were accurate.

Webb's stories said Newcomb and Foster had been the main beneficiaries of the auto race. The stories also detailed other financial dealings the partners had with the city.

The articles said the promoters "paid themselves" nearly \$1 million from race proceeds for management fees, salaries, commissions, legal and accounting fees and equipment rental fees in violation of the lease they had with the city.

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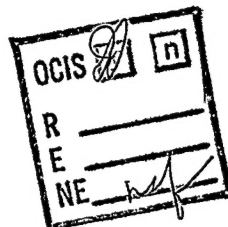
Date: September 15, 1990
Edition:

Title: The Plain Dealer
Front Page

Character:
or
Classification: 183 B-CV-42510
Submitting Office: Sub G

Indexing:

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183B-CV-42510 Sub G-7

SEARCHED	INDEXED
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JAN 15 1991	

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